

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

7 BRIAN ADE,
8 Plaintiff,
9 v.
10 ERIC LOPEZ et al.,
11 Defendants.
12

3:16-cv-00267-RCJ-WGC

ORDER

I. DISCUSSION

14 According to the Nevada Department of Corrections (“NDOC”) inmate database,
15 Plaintiff is no longer incarcerated. However, Plaintiff has not filed an updated address with this
16 Court. The Court notes that pursuant to Nevada Local Special Rule 2-2, “[t]he plaintiff must
17 immediately file with the court written notification of any change of address. The notification
18 must include proof of service on each opposing party or the party’s attorney. Failure to comply
19 with this rule may result in dismissal of the action with prejudice.” Nev. Loc. Special R. 2-2.
20 This Court grants Plaintiff thirty (30) days from the date of entry of this order to file his updated
21 address with this Court. If Plaintiff does not update the Court with his current address within
22 thirty (30) days from the date of entry of this order, the Court will dismiss this action without
23 prejudice.

24 Additionally, the Court denies the application to proceed *in forma pauperis* for prisoners
25 (ECF No. 1) as moot because Plaintiff is no longer incarcerated. The Court now directs
26 Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner within thirty (30)
27 days from the date of this order or pay the full filing fee of \$400.

28 | III

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff shall file his updated address with the Court within **thirty (30) days** from the date of this order.

IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* for prisoners (ECF No. 1) is DENIED as moot.

IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

9 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
10 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for non-
11 prisoners; or (2) pay the full filing fee of \$400.

IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, the Court shall dismiss this case without prejudice.

14 DATED: December 28, 2016.

Walter G. Cobb

United States Magistrate Judge